

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:17-00137-03

ALISHA MARIE ESQUE

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On December 9, 2019, the United States of America appeared by Jeremy Wolfe, Assistant United States Attorney, and the defendant, Alisha Marie Esque, appeared in person and by her counsel, John J. Balenovich, for a hearing on the petition seeking revocation of supervised release and amendment thereto submitted by United States Probation Officer Jeffrey D. Bella. The defendant commenced a 24-month term of supervised release in this action on October 2, 2019, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on March 8, 2019.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant failed to abide by the special condition that she participate in and successfully complete a long-term residential drug treatment program at Recovery Point for 9 to 12 months inasmuch as on September 26, 2019, she was instructed to report to Recovery Point located in Charleston, West Virginia, immediately upon her release from custody and failed to report to Recovery Point upon her release from custody or at any other time; (2) the defendant failed to notify the probation officer of her change in residence inasmuch as she did not contact him after being released from custody, rendering her whereabouts unknown until her arrest on October 31, 2019; and (3) the defendant used and possessed controlled substances as evidenced by a positive urine specimen submitted by her on November 1, 2019, for marijuana, methamphetamine, Subutex and benzodiazepine; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release and amendment thereto.

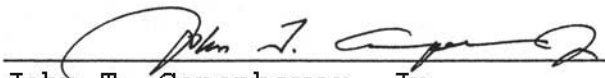
And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and she hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of TEN (10) MONTHS, with no further term of supervised release imposed.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: December 10, 2019



John T. Copenhaver, Jr.
Senior United States District Judge